



UNITED STATES PATENT AND TRADEMARK OFFICE

50
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,999	06/23/2000	Steven Andrew Cover	204006	8986
23460	7590	04/05/2005	EXAMINER	
LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6780			LUU, SY D	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/599,999	COVER ET AL.	
	Examiner	Art Unit	
	Sy D Luu	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 18 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-25,27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-25,27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Amendment C filed 11/18/2004. Claims 1-7, 9-25, and 27-28 are pending in this application. Claims 1, 14 and 22 are independent claims. In the Amendment C, claims 1, 14 and 22 were amended. This action is made Final.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 103

3. Claims 1-7, 9-25 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Netscape Communicator v 4.61 ("Netscape Communicator") in view of Prizm Plug-in 2.1 ("Prizm"), Hoyt et al. ("Hoyt", US 6,085,195) and Truong et al. (US 6,151,609).

As per claims 1-5, Netscape Communicator teaches a method of modifying an image on a web page, the method comprising: establishing communication with a remote computer over an Internet public network (figure 1; *connecting to the PTO website*) using HTTP Internet protocol through a TCP/IP stack (*inherent features within browsers such as Netscape*); downloading the web page from the remote computer and displaying the web page in a web-browser interface (fig. 1; *PTO webpage*); and in response to the user selecting the image from the displayed web page directly from the web-browser interface, presenting the image in an interface to the user (fig. 3; *user selecting image 30 and activating the editor through menu option 36*). Netscape Communicator does not expressly disclose the image to be presented in an editing interface for modification by the user. However, such a feature is well known in the art. For instance, Prizm, a plug-in application, which when "plugged" into a web browser such as Netscape

Art Unit: 2174

Communicator, makes up for what Netscape Communicator does not teach (figs. 4-5; *where a "plug-in" editor is automatically invoked---see figs. 1-2 for information on the plug-in editor*). The method of Netscape and Prizm still does not disclose the step of saving the modified image as a modified source file on the remote computer replacing a source file of the image as downloaded. However, such a step is well known in the art. For instance, Hoyt teaches a method of creating a webpage including an image thereon, wherein after the image is modified, the image file is uploaded to the remote server (abstract; claims 1 and 11). Truong further teaches a remote editor system for remotely editing a webpage source file stored on a remote Internet server as downloaded to a client, and replaced the modified source file by uploading the source file to the remote Internet server (abstract; col. 2, lines 17-48; col. 3, lines 12-18 and 44-59). It would have been obvious to an artisan at the time of the invention to include the step of replacing the modified image source file onto the remote computer as taught by Hoyt and Truong with the method of Netscape and Prizm in order to update all changes that have been modified by the user to the source file for future use. Having this capability of updating source image file would also allow a user such as a server system administrator to access and edit source files directly from anywhere without having to have specialized or dedicated communication software available.

As per claims 6, Netscape Communicator teaches the web page to comprise a plurality of images (fig. 3; *images 30, 32 and 34*), and wherein the presenting step further comprise: in response to user selection of at least one image of the plurality of images (fig. 3; *user selecting image 30 and activating the editor through menu option 36*), presenting the selected image in an

Art Unit: 2174

editing interface for modification by the user (figs 4-5; *where a "plug-in" editor is automatically invoke---see figs 1-2 for information on the plug-in editor*).

Claims 7, 11, 12-14 and 17-22 are similar in scope to claims 6, 1, 6, 9, 1, 7, 14-17 and 1 respectively, and are therefore rejected under similar rationale.

As per claims 9 and 15, the method of Netscape Communicator/Prizm and Hoyt/Truong does not explicitly disclose the steps of: (a) determining user's write access privilege/authorization and saving a modified image as a modified source file onto the remote computer; and (b) changing the appearance of the image when the cursor is over at least part of the image even though the step of detecting the location of the cursor on the user interface is used (shown in fig. 3). However, these steps are notoriously well known in the art. It would have been obvious to an artisan at the time of the invention to include these steps with the method of Communicator/Prizm and Hoyt/Truong in order to provide measures of security for user accounts and data therein, and to distinguish the image from the rest of the web page.

As per claim 10, Netscape Communicator teaches the user being given an option to open the web page in the editing interface (figs 3-4).

Claim 16 is similar in scope to the combination of claims 6 and 15, and are therefore rejected under similar rationale.

Claims 23 and 27 are similar in scope to claims 2 and 16 respectively, and are therefore rejected under similar rationale.

As per claim 24, Netscape Communicator discloses the communication means to be a socket (*an inherent feature for identifying a particular service on a particular node on a network*).

As per claim 25, Netscape Communicator teaches the display means to be a web browser in cooperating with the communicating means (fig. 3).

As per claim 28, Netscape Communicator teaches the editing means to be a graphic editing program (fig. 5).

Response to Arguments

4. Applicants' arguments with respect to the independent claims have been considered but are moot in view of the new ground(s) of rejection.

5. The Examiner agrees with Applicants' arguments that Hoyt does not teach the step of replacing the source file of the image as downloaded. However, the claims have been rejected under Netscape Communicator/Prizm and Hoyt in view of Truong.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2174

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (571) 272-4064. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SY D. LUU
PRIMARY EXAMINER